

BEFORE THE POLICE BOARD OF THE CITY OF CHICAGO

**IN THE MATTER OF CHARGES FILED AGAINST)
POLICE OFFICER LATANYA K. MOORE,) No. 11 PB 2766
STAR No. 7296, DEPARTMENT OF POLICE,)
CITY OF CHICAGO,)
RESPONDENT.) (CR No. 1037918)**

FINDINGS AND DECISION

On August 30, 2011, the Superintendent of Police filed with the Police Board of the City of Chicago charges against Police Officer Latanya K. Moore, Star No. 7296 (hereinafter sometimes referred to as “Respondent”), recommending that the Respondent be discharged from the Chicago Police Department for violating the following Rules of Conduct:

Rule 2: Any action or conduct which impedes the Department's efforts to achieve its policy and goals or brings discredit upon the Department.

Rule 3: Any failure to promote the Department's efforts to implement its policy or accomplish its goals.

Rule 6: Disobedience of an order or directive, whether written or oral.

Rule 14: Making a false report, written or oral.

Rule 23: Failure to obey Department orders concerning other employment, occupation, or profession.

Rule 24: Failure to follow medical roll procedures.

The Police Board caused a hearing on these charges against Police Officer Latanya K. Moore to be had before Michael G. Berland, Hearing Officer of the Police Board, on March 21 and 22, 2012.

Following the hearing, the members of the Police Board read and reviewed the record of proceedings and viewed the video-recording of the testimony of the witnesses. Hearing Officer

Berland made an oral report to and conferred with the Police Board before it rendered its findings and decision.

POLICE BOARD FINDINGS

The Police Board of the City of Chicago, as a result of its hearing on the charges, finds and determines that:

1. The Respondent was at all times mentioned herein employed as a police officer by the Department of Police of the City of Chicago.
2. The charges were filed in writing and a Notice, stating the time, date, and place, when and where a hearing on the charges was to be held, together with a copy of the original charges, were served upon the Respondent more than five (5) days prior to the hearing on the charges.
3. Throughout the hearing on the charges the Respondent appeared in person and was represented by legal counsel.
4. The Respondent, Police Officer Latanya K. Moore, Star No. 7296, charged herein, is **not guilty** of violating, to wit:

Rule 2: Any action or conduct which impedes the Department's efforts to achieve its policy and goals or brings discredit upon the Department,

in that:

Count I: The Superintendent did not prove by a preponderance of the evidence the following charge: "On or about September 8, 2010, while being interviewed by the Medical Integrity Unit, Officer Moore engaged in any action or conduct which impedes the Department's efforts to achieve its policy and goals or brings discredit upon the Department in that Officer Moore claimed that she would occasionally help home health care provider Gladys Weatherly caring for Ann Schranz by feeding Ms. Schranz and sitting with her in the evening until bedtime when her duties, in fact, consisted of taking all physical care of Ms. Schranz, including bathing, changing diapers, moving Ms. Schranz in and out of bed and/or her wheelchair, feeding, and as-needed cooking and/or cleaning of Ms. Schranz's residence located in or around Des Plaines, Illinois."

There is no evidence in the record that Officer Moore claimed/stated in her interview with the Medical Integrity Unit that she would occasionally help home health care provider Gladys Weatherly caring for Ann Schranz by feeding Ms. Schranz and sitting with her in the evening until bedtime. Officer Moore's statement to the Medical Integrity Unit (marked as Superintendent Exhibit No. 5) was neither offered nor admitted into evidence at the hearing. No testimony was elicited from Officer Moore that she made the false statement as charged. Therefore, there is insufficient evidence to find Officer Moore guilty of this charge.

5. The Respondent, Police Officer Latanya K. Moore, Star No. 7296, charged herein, is **not guilty** of violating, to wit:

Rule 2: Any action or conduct which impedes the Department's efforts to achieve its policy and goals or brings discredit upon the Department,

in that:

Count II: The Superintendent did not prove by a preponderance of the evidence the following charge: "On or about September 8, 2010, while being interviewed by the Medical Integrity Unit, Officer Moore engaged in any action or conduct which impedes the Department's efforts to achieve its policy and goals or brings discredit upon the Department in that Officer Moore claimed that she worked four (4) to five (5) days a week caring for Ms. Ann Schranz and was paid between \$65 to \$80/day when Moore was, in fact, paid approximately \$120/day for her care of Ms. Schranz for the time period of January 29, 2010, through July 28, 2010."

Officer Moore admitted in her testimony at the hearing that she stated in her interview with the Medical Integrity Unit that she was paid between \$65 to \$80 per day. However, the testimony at the hearing as to the number of hours and/or days that Moore worked per week and the amount she was paid per week is not sufficient to prove that Moore was in fact paid approximately \$120 per day for the time period of January 29, 2010, through July 28, 2010.

There is insufficient evidence to prove that Moore's claim constitutes an intentionally false statement, and the Board therefore finds her not guilty of this charge.

6. The Respondent, Police Officer Latanya K. Moore, Star No. 7296, charged herein, is **not guilty** of violating, to wit:

Rule 2: Any action or conduct which impedes the Department's efforts to achieve its policy and goals or brings discredit upon the Department,

in that:

Count III: The Superintendent did not prove by a preponderance of the evidence the following charge: "From on or about January 5, 2010, through on or about July 29, 2010, or on one or more dates therein, Officer Moore engaged in any action or conduct which impedes the Department's efforts to achieve its policy and goals or brings discredit upon the Department in that Officer Moore claimed that the care she provided to Ann Schranz did not violate any of Officer Moore's medical restrictions per the Medical Services Section, when Officer Moore performed duties including bathing, changing diapers, moving Ms. Schranz in and out of bed and/or her wheelchair, feeding, and as-needed cooking and/or cleaning of Ms. Schranz's residence that would necessarily require her to violate the restriction to perform no work at all using the affected extremity."

There is no evidence in the record that Officer Moore claimed/stated that the care she provided to Ann Schranz did not violate any of Officer Moore's medical restrictions per the Medical Services Section. Officer Moore's statement to the Medical Integrity Unit (marked as Superintendent Exhibit No. 5) was neither offered nor admitted into evidence at the hearing. No testimony was elicited from Officer Moore at the hearing that she made the above claim. Therefore, there is insufficient evidence to find Officer Moore guilty of this charge.

7. The Respondent, Police Officer Latanya K. Moore, Star No. 7296, charged herein, is **guilty** of violating, to wit:

Rule 2: Any action or conduct which impedes the Department's efforts to achieve its policy and goals or brings discredit upon the Department,

in that:

Count IV: From on or about January 5, 2010, through on or about July 29, 2010, or on one or more dates therein, Officer Moore engaged in any action or conduct which impedes the Department's efforts to achieve its policy and goals or brings discredit upon the Department, in that Officer Moore violated General Order 08-01 by working secondary employment as a home health care worker and/or "aid assistant" to a home health care provider for Ann Schranz when Officer Moore was on the medical roll.

Officer Moore pled guilty to violating Rule 6 and Rule 23 by working secondary employment while on the medical roll (see paragraph nos. 10 and 14 below). The testimony of Officer Moore and Linda Rae Mour also establishes that Officer Moore was working secondary employment for Ann Schranz from on or about January 5, 2010, through on or about July 29, 2010. In addition to violating Rules 6 and 23, this conduct by Officer Moore violates Rule 2.

8. The Respondent, Police Officer Latanya K. Moore, Star No. 7296, charged herein, is **guilty** of violating, to wit:

Rule 2: Any action or conduct which impedes the Department's efforts to achieve its policy and goals or brings discredit upon the Department,

in that:

Count V: From on or about January 5, 2010, through on or about July 29, 2010, or on one or more dates therein, Officer Moore engaged in any action or conduct which impedes the Department's efforts to achieve its policy and goals or brings discredit upon the Department, in that Officer Moore failed to comply with the instructions provided by the Medical Services Section by working secondary employment as a home health care worker and/or "aid assistant" to a home health care provider for Ann Schranz, and by performing duties including bathing, changing diapers, moving Ms. Schranz in and out of bed and/or her

wheelchair, feeding, and as-needed cooking and/or cleaning of Ms. Schranz's residence that would necessarily require Officer Moore to violate the restriction to perform no work at all using the affected extremity.

Officer Moore was given instructions by Dr. Durudogan that she was not to use her right arm or wrist at all during the period from January 5, 2010, until that restriction was changed on or about August 26, 2010, to not lifting anything over two pounds. These restrictions also were communicated to Eleni Yamich, who was Moore's case manager at the Medical Service Section. The patient, Ann Schranz, for whom Moore served as a home health care worker was extremely heavy and suffered from severe arthritis. Moore testified that she worked for Schranz during the week for three-hour periods and all day on Saturdays (from 7:00 a.m. until 6:00 p.m. or 7:00 p.m.) during most of the relevant time period.

The Police Board determines that many of the activities that Moore admitted to performing for Schranz, such as bathing, assisting in changing diapers, and doing cleaning or cooking, would have required some use of Moore's right arm or wrist, particularly when she worked all day on Saturdays. Furthermore, although Moore denied that she helped Schranz in and out of her bed/and or her wheelchair by using her right arm or wrist, another health care worker for Schranz, Linda Mour, testified that she (Mour) would help Schranz get into her wheelchair and that she also assisted Schranz when she needed to use the toilet. Given the facts in evidence, including that Schranz was very heavy and had bad arthritis, the Police Board determines that when Linda Mour was not present Latanya Moore would have had to provide the same type of assistance as Mour did.

The Police Board determines that it is simply not credible that Moore could have completely avoided using her right arm or wrist while working for Schranz—there is sufficient

evidence in the record to conclude that, given the nature of the care that Moore provided, she violated the restriction to perform no work at all using her right arm or wrist.

(President Carney and Mr. Conlon dissent from the above finding, concluding that there is insufficient evidence to prove that Officer Moore violated the restriction to perform no work at all using the affected extremity.)

9. The Respondent, Police Officer Latanya K. Moore, Star No. 7296, charged herein, is **guilty** of violating, to wit:

Rule 3: Any failure to promote the Department's efforts to implement its policy or accomplish its goals,

in that:

From on or about January 5, 2010, through on or about July 29, 2010, or on one or more dates therein, Officer Moore failed to promote the Department's efforts to implement its policy or accomplish its goals, in that Officer Moore worked secondary employment in contradiction to General Order 08-01, which prohibits officers on the medical roll from working secondary employment.

Officer Moore pled guilty to violating Rule 6 and Rule 23 by working secondary employment while on the medical roll (see paragraph nos. 10 and 14 below). The testimony of Officer Moore and Linda Rae Mour also establishes that Officer Moore was working secondary employment for Ann Schranz from on or about January 5, 2010, through on or about July 29, 2010. In addition to violating Rules 6 and 23, this conduct by Officer Moore violates Rule 3.

10. The Respondent, Police Officer Latanya K. Moore, Star No. 7296, charged herein, is **guilty** of violating, to wit:

Rule 6: Disobedience of an order or directive, whether written or oral,

in that:

From on or about January 5, 2010, through on or about July 29, 2010, or on one or more dates therein, Officer Moore disobeyed an order or directive, whether written or oral, in that Officer Moore violated General Order 08-01 by working secondary employment as a home health care worker and/or “aid assistant” to a home health care provider for Ann Schranz when Officer Moore was on the medical roll.

Officer Moore pled guilty to this charge.

11. The Respondent, Police Officer Latanya K. Moore, Star No. 7296, charged herein, is **not guilty** of violating, to wit:

Rule 14: Making a false report, written or oral,

in that:

Count I: The Superintendent did not prove by a preponderance of the evidence the following charge: “On or about September 8, 2010, while being interviewed by the Medical Integrity Unit, Officer Moore made a false report, written or oral, when Officer Moore stated that she would occasionally help home health care provider Gladys Weatherly caring for Ann Schranz by feeding Ms. Schranz and sitting with her in the evening until bedtime when her duties, in fact, consisted of taking all physical care of Ms. Schranz, including bathing, changing diapers, moving Ms. Schranz in and out of bed and/or her wheelchair, feeding, and as-needed cooking and/or cleaning of the residence located in or around Des Plaines, Illinois.”

See the findings set forth in paragraph no. 4 above, which are incorporated here by reference.

12. The Respondent, Police Officer Latanya K. Moore, Star No. 7296, charged herein, is **not guilty** of violating, to wit:

Rule 14: Making a false report, written or oral,

in that:

Count II: The Superintendent did not prove by a preponderance of the evidence the following charge: “On or about September 8, 2010, while being interviewed by the Medical Integrity Unit, Officer Moore made a false report, written or oral, when Officer Moore stated that she would work four (4) to five (5) days a week caring for Ann Schranz and was paid between \$65 to \$80/day when Moore was, in fact, paid approximately \$120/day for her care of Ms. Schranz for the time period of January 29, 2010, through July 28, 2010.”

See the findings set forth in paragraph no. 5 above, which are incorporated here by reference.

13. The Respondent, Police Officer Latanya K. Moore, Star No. 7296, charged herein, is **not guilty** of violating, to wit:

Rule 14: Making a false report, written or oral,

in that:

Count III: The Superintendent did not prove by a preponderance of the evidence the following charge: “On or about September 8, 2010, while being interviewed by the Medical Integrity Unit, Officer Moore made a false report, written or oral, when Officer Moore stated that the care she provided to Ann Schranz did not violate any of Officer Moore’s medical restrictions per the Medical Services Section, when Officer Moore performed duties including bathing, changing diapers, moving Ms. Schranz in and out of bed and/or her wheelchair, feeding, and as-needed cooking and/or cleaning of Ms. Schranz’s residence that would necessarily require her to violate the restriction to perform no work at all using the affected extremity.”

See the findings set forth in paragraph no. 6 above, which are incorporated here by reference.

14. The Respondent, Police Officer Latanya K. Moore, Star No. 7296, charged herein, is **guilty** of violating, to wit:

Rule 23: Failure to obey Department orders concerning other employment, occupation, or profession,

in that:

From on or about January 5, 2010, through on or about July 29, 2010, or on one or more dates therein, Officer Moore failed to obey Department orders concerning other employment, occupation, or profession, in that Officer Moore violated General Order 08-01 by working secondary employment as a home health care worker and/or “aid assistant” to a home health care provider for Ann Schranz when Officer Moore was on the medical roll.

Officer Moore pled guilty to this charge.

15. The Respondent, Police Officer Latanya K. Moore, Star No. 7296, charged herein, is **guilty** of violating, to wit:

Rule 24: Failure to follow medical roll procedures,

in that:

From on or about January 5, 2010, through on or about July 29, 2010, or on one or more dates therein, Officer Moore failed to follow medical roll procedures as stated in Employee Resource E03-01-01, in that Officer Moore failed to comply with the instructions provided by the Medical Services Section by working secondary employment as a home health care worker and/or “aid assistant” to a home health care provider for Ann Schranz performing duties including bathing, changing diapers, moving Ms. Schranz in and out of bed and/or her wheelchair, feeding, and as-needed cooking and/or cleaning of Ms. Schranz’s residence that would necessarily require Officer Moore to violate the restriction to perform no work at all using the affected extremity.

See the findings set forth in paragraph no. 8 above, which are incorporated here by reference.

(President Carney and Mr. Conlon dissent from the above finding, concluding that there is insufficient evidence to prove that Officer Moore violated the restriction to perform no work at all using the affected extremity.)

16. The Police Board has considered the facts and circumstances of the Respondent's conduct, and the evidence presented in defense and mitigation. The Police Board finds and determines that a suspension is the appropriate penalty in this case.

The Respondent violated the rules that govern when an officer is on the medical roll. Nonetheless, the Board finds that the seriousness of her conduct is mitigated by several factors. She has suffered from a serious disease for an extended period of time and has for many years carried out her assigned duties despite the rigors of managing her disease. In addition, her doctor in January 2010 reported that Officer Moore was able to return to her desk assignment in the call-back unit with restrictions, but she was not allowed to do so per Medical Services Section policy because she was unable to qualify with her weapon. Finally, she has no prior disciplinary record. For these reasons, the Board finds that a suspension is a more fitting punishment on the facts of this particular case.

BY REASON OF THE FINDINGS set forth herein, cause exists for the suspension of the Respondent, Police Officer Latanya K. Moore, Star No. 7296, from her position as a police officer with the Department of Police, and from the services of the City of Chicago, for a period from September 1, 2011, to and including April 30, 2012.

POLICE BOARD DECISION

The Police Board of the City of Chicago, having read and reviewed the record of proceedings in this case, having viewed the video-recording of the testimony of the witnesses, having received the oral report of the Hearing Officer, Michael G. Berland, and having conferred with the Hearing Officer on the credibility of the witnesses and the evidence, hereby adopts all findings herein; and, in reaching its decision as to the penalty imposed, the Board has taken into account not only the facts of this case but also the Respondent's complimentary and disciplinary histories, copies of which are attached hereto as Exhibit A; and

IT IS HEREBY ORDERED that the Respondent, Police Officer Latanya K. Moore, Star No. 7296, as a result of having been found **guilty** of charges in Police Board Case No. 11 PB 2766, be and hereby is **suspended** from her position as a police officer with the Department of Police, and from the services of the City of Chicago, for a period from September 1, 2011, to and including April 30, 2012 (eight months).

DATED AT CHICAGO, COUNTY OF COOK, STATE OF ILLINOIS, THIS 19th DAY OF APRIL, 2012.

/s/ Demetrius E. Carney

/s/ Scott J. Davis

/s/ Melissa M. Ballate

/s/ William F. Conlon

/s/ Ghian Foreman

/s/ Rita A. Fry

/s/ Susan L. McKeever

/s/ Johnny L. Miller

/s/ Elisa Rodriguez

Attested by:

/s/ Max A. Caproni
Executive Director
Police Board

Police Board Case No. 11 PB 2766

Police Officer Latanya K. Moore

Findings and Decision

DISSENT

The following members of the Police Board hereby dissent from the Decision of the majority of the Board.

[None]

RECEIVED A COPY OF

THE FOREGOING COMMUNICATION

THIS ____ DAY OF _____, 2012.

SUPERINTENDENT OF POLICE

Police Board Case No. 11 PB 2766
Police Officer Latanya K. Moore
Findings and Decision

Report Date: 29 Aug 2011
Report Time: 1252 Hrs

Information Services Division
Data Warehouse
Produced by: PCOT611

Chicago Police Department Personnel Division

*Only for active personnel



Complimentary History

Name	Title	Star	Unit	Detail Unit	Emp Number
MOORE , LATANYA K	9161	7296	004	376	[REDACTED]

Achievements

Total No.

PRESIDENTIAL ELECTION DEPLOYMENT AWARD 2008	1
2009 CRIME REDUCTION AWARD	1
2004 CRIME REDUCTION RIBBON	1
EMBLEM OF RECOGNITION - PHYSICAL FITNESS	1
TOTAL AWARDS	4

CR# 1037918



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DATE AND TIME OF THE REPORT. THIS

Chicago Police Department
CLEAR
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System

IADR118

CHICAGO POLICE DEPARTMENT
Sustained Complaints History Report

30-AUG-2011 08:36:33 AM

<u>Social Sec. #</u>	<u>Name</u>	<u>Star #.</u>	<u>Emp. #</u>	<u>Rank</u>	<u>Description</u>	<u>Unit</u>
[REDACTED]	MOORE LATANYA K.	7286	[REDACTED]	9161	POLICE OFFICER	376
Sex	Race	Birth Date	Appointed Date	No. Of C.R.'s	No. Of SPAR's	
F	BLACK	[REDACTED]	10-OCT-2000	0	0	

Latanya K. Moore
10-00-2000
7286
376
POLICE OFFICER
Latanya K. Moore
10-00-2000
7286
376
POLICE OFFICER